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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,288	06/13/2001	Catherine Rose Morrow	60001.0036US01	5542

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EXAMINER

KE, PENG

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/880,288	MORROW ET AL.	
	Examiner	Art Unit	
	Peng Ke	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-12,15-17 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-12,15-17 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This communication is responsive to the amendment filed 6/29/05.

This action is made Final.

Claims 1,4-12, 15-17 and 20 are pending in this application. Claims 1, 9, 12 and 17 are independent claims.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

Claims 1, 4 – 7, 12, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishida, U.S. Patent No. 5,684,969 in view of Leong et al. U.S. Patent No. 5,513,342.

As per claim 1, Ishida teaches a method of resizing a graphical user interface of a computer software application, the graphical user interface having at least one graphical user interface element disposed thereon, comprising the steps of:

altering the size of the graphical user interface dynamically to a selected size during running of the computer software application (see Ishida, column 4, lines 27 – 36);

notifying a graphical user interface control module that the graphical user interface is being resized to the selected size (see Ishida, column 8, line 66 – column 9, line 3);

notifying the graphical user interface element that it is to be repositioned on the graphical user interface according to a set of rules governing the position of graphical user interface

elements on the graphical user interface (see Ishida, column 9, lines 4 – 9);

repositioning the graphical user interface element according to the set of rules (see Ishida, column 8, lines 26 – 47 and column 9, lines 10 – 20), wherein repositioning the graphical user interface element includes moving the graphical user interface element from a first position to a second position, wherein the second position is the same relative position on the graphical user interface after the graphical user interface has been resized, as the first position of the graphical user interface element prior to altering the size of the graphical user interface to the selected size (see Ishida, figures 7a – 7g; it is shown that the items displayed are moved from a first position to another when the scale factor of the display is changed, however the items are still displayed in the same relative position within the window when the window's size is changed); and

displaying the graphical user interface (see Ishida, column 4, lines 34 – 36).

However Ishida fail to teach determining whether the selected size of the graphical user interface is less than a minimum size for the graphical user interface; and

If the selected size of the graphical user interface is less than the minimum size, then altering the size of the graphical user interface to the minimum size.

Leong teaches determining whether the selected size of the graphical user interface is less than a minimum size for the graphical user interface; (col. 3, lines 17-30; Examiner interprets original display size of the canvas window to be the selected window) and

If the selected size of the graphical user interface is less than the minimum size, then altering the size of the graphical user interface to the minimum size. (col. 5, lines 25-65)

It would have been obvious to an artisan at the time of the invention to include Leong's teaching with method Ishida in order to provide user with an method for control of a graphical user interface that automatically adjusts window size to accommodate changes in font size, resolution, or language.

As per claim 4, which is dependent on claim 1, Ishida and Leong teach the method of claim 1 (see rejection above). Ishida further teaches the method of Claim 1, whereby the step of displaying the graphical user interface, includes the steps of,

constructing a bitmap of the graphical user interface according the selected size;

positioning the graphical user interface element on the bitmap according to the set of rules; and

designating the bitmap for display (see Ishida, column 9, lines 16 – 20).

As per claim 5, which is dependent on claim 1, Ishida and Leong teach the method of claim 1 (see rejection above). Ishida further teaches the method of Claim 1, whereby the step of notifying, the graphical user interface element that it is to be repositioned, includes the steps of:

altering the graphical user interface element in response to altering the size of the graphical user interface (see Ishida, figures 7a – 7g; the individual elements of the window are altered when the size of the user interface is altered).

As per claim 6, which is dependent on claim 5, Ishida and Leong teach the method of claim 5 (see rejection above). Ishida further teaches the method of Claim 5, whereby the step of altering the graphical user interface element, includes the step of:

altering the size of the graphical user interface element (see Ishida, figures 7a – 7g; the sizes of the individual elements of the window are altered when the size of the user interface is altered).

As per claim 7, which is dependent on claim 5, Ishida and Leong teach the method of claim 5 (see rejection above). Ishida further teaches the method of Claim 5, whereby the graphical user interface is a dialog window for providing access to functionality of the computer software application (see Ishida, figure 7a).

As per claim 12, it is of similar scope to claim 1 and is rejected under the same rationale as claim 1 (see rejection above).

As per claim 15, it is of similar scope to claim 4 and is rejected under the same rationale as claim 4 (see rejection above).

As per claim 16, it is of similar scope to claim 5 and is rejected under the same rationale as claim 5 (see rejection above).

Claims 8, 9, 11, 17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishida, U.S. Patent No. 5,684,969 in view of Leong et al. U.S. Patent No. 5,513,342 further in view of Owings, U.S. Patent No. 6,335,743.

As per claim 8, which is dependent on claim 1, Ishida and Leong teach the method of claim 1 (see rejection above). Ishida does not teach the method of Claim 1, whereby the graphical user interface element includes a plurality of controls disposed on the graphical user interface. Owings teaches a method of resizing a graphical user interface whereby the graphical user interface element includes a plurality of controls disposed on the graphical user interface (see Owings, column 2, lines 16 – 18). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Owings with the method of Ishida and Leong in order to provide user with more control options.

As per claim 9, Ishida and Leong teach a method of resizing a dialog window of a computer software application, the dialog window having a plurality of elements disposed thereon, comprising the steps of:

- running the computer software application;

- altering the size of the frame dynamically by user action to a selected size while the computer software application is running (see Ishida, column 4, lines 27 – 36);

- notifying a manager module that the frame is being resized to the selected size (see Ishida, column 8, line 66 – column 9, line 3);

- notifying each of the plurality of elements that it is to be repositioned on the frame according to a set of rules governing the position of elements on the frame (see Ishida, column 9, lines 4 – 9);

- repositioning the plurality of elements according to the set of rules (see Ishida, column 8,

lines 26 – 47 and column 9, lines 10 – 20), wherein repositioning the plurality of controls includes moving the plurality of controls from a first position to a second position, wherein the second position is the same relative position on the dialog window after the dialog window has been resized, as the first position of the plurality of controls prior to altering the size of the dialog window to the selected size (see Ishida, figures 7a – 7g; it is shown that the items displayed are moved from a first position to another when the scale factor of the display is changed, however the items are still displayed in the same relative position within the window when the window's size is changed); and

displaying the frame (see Ishida, column 4, lines 34 – 36).

Ishida does not teach the dialog window having a plurality of controls disposed thereon. Owings teaches a dialog window having a plurality of controls disposed thereon (see Owings, column 2, lines 16 – 18). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Owings with the method of Ishida and Leong in order to provide user with more control options.

As per claim 11, which is dependent on claim 9, Ishida, Leong, and Owings teach the method of claim 9 (see rejection above). Ishida further teaches the method of Claim 9, whereby the step of displaying the dialog window, includes the steps of,

constructing a bitmap of the dialog window according the selected size;

positioning the plurality of controls on the bitmap according to the set of rules;

and

designating the bitmap for display (see Ishida, column 9, lines 16 – 20).

As per claim 17, it is of similar scope to claim 9 and is rejected under the same rationale as claim 9 (see rejection above).

As per claim 20, it is of similar scope to claim 11 and is rejected under the same rationale as claim 11 (see rejection above).

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ishida, U.S. Patent No. 5,684,969 in view of Leong et al. U.S. Patent No. 5,513,342 further in view of Owings, U.S. Patent No. 6,335,743 as applied to claim 9 above, and further in view of Thomson, U.S. Patent No. 5,682,487.

As per claim 10, which is dependent on claim 9, Ishida, Leong, and Owings teach the method of Claim 9 (see rejection above). Ishida, Leong, and Owings further teach determining a size and position of each of the plurality of controls, based on the determined size and position of its their associated frames; and designating for display with the dialog window each of the plurality of controls according to their size and position (see rejection for claim 9).

Ishida and Owings do not teach the method of Claim 9, whereby the step of repositioning the plurality of controls according to the set of rules, includes specifying a plurality of frames, each frame representing a region within the dialog window, the frames forming a hierarchical tree of frames, the tree of frames including at least one parent frame having at least one

associated child frame, wherein a region represented by each parent frame encloses a region represented by its associated child frame, each of the plurality of controls having an associated frame; determining a minimum size of each child frame; determining a minimum size of each parent frame based on the minimum sizes of its child frames; determining a position for each parent frame; and determining a position of each child frame based on the position of its parent frame.

Thomson teaches a method of resizing a dialog box whereby a step of repositioning the plurality of controls according to the set of rules includes

specifying a plurality of frames, each frame representing a region within the dialog window, the frames forming a hierarchical tree of frames, the tree of frames including at least one parent frame having at least one associated child frame, wherein a region represented by each parent frame encloses a region represented by its associated child frame, each of the plurality of controls having an associated frame (see Thomson, column 4, lines 57 – 65; the examiner interprets a widget as a frame and it is inherent that each control of the dialog box is associated to a widget);

determining a minimum size of each child frame (see Thomson, column 6, lines 6 – 11; it is inherent that the size of the view determines the size of the image to be displayed in a widget, and therefore the minimum size of the widget);

determining a minimum size of each parent frame based on the minimum sizes of its child frames (see Thomson, column 6, lines 14 – 20; it is inherent that when the size of the view is 33% then the minimum size of the top most widget will be determined by the minimum sizes of the child widgets to be displayed at 33%);

determining a position for each parent frame;

determining a position of each child frame based on the position of its parent frame (see Thomson, figure 7, items 710 – 740 and column 5, lines 14 – 21; it is inherent that the position of the child frames depends on the position of the parent frame because different dialog windows representing different devices are displayed at different locations in figure 7, and all corresponding frames are displayed inside their corresponding parent frames);

determining a size and position of each of the plurality of controls, based on the determined size and position of its their associated frames (see Thomson, column 5, lines 10 – 13 and column 6, lines 6 - 11; it is inherent that the controls are displayed as widgets with a certain size of a photo-realistic images); and

designating for display with the dialog window each of the plurality of controls according to their size and position (see Thomson, figure 7, items 710 – 740, and column 5, lines 14 – 21).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Thomson with the method of Ishida, Leong, and Owings in order to provide a consistent view of a resized dialog window.

Response to Argument

Applicant's arguments filed on 6/29/05 have been fully considered but they are not persuasive.

Applicant's argument focused on the following:

Leong does not each or suggest determining whether the changed size of canvas window is less than a minimum size of the canvas window, and if so, then changing the size of the canvas window to the minimum size for the canvas window.

Examiner disagree. The examiner does not agree for the following reasons:

During patent examination, the pending claims must be "given >their< broadest reasonable interpretation consistent with the specification." > In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

In this case, Leong teaches this limitation because Leong calculates and distributes the available space to the expandable rows and columns and distributes the rows and columns in accordance with a set of pre-established parameters. (see Leong, column 5 ,lines 55-65)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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